

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Case #04-30170-MAP

FILED  
IN CLERK'S OFFICE  
2005 APR 27 P 2:03  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

WESTFIELD EAST MAIN )  
STREET LLC, Plaintiff )

v. )

C. DAVID TRADER, )  
JEAN M. TRADER, )  
JOSEPH B. MITCHELL, )  
TERESA K. MITCHELL, )  
DONALD GOVE, )  
MARK D. SIEBERT, )  
BRIAN BURKE, )  
MICHAEL BRETON, )  
BRADFORD MOIR, )  
MARY MOIR, )  
INTERSTATE BUILDING )  
SUPPLY, INC., and )  
LUMBER CENTER, INC., )  
Defendants )

DEFENDANTS' ASSENTED TO  
EMERGENCY MOTION FOR  
EXTENSION OF TIME TO FILE  
OPPOSITION TO PLAINTIFF'S MOTION  
FOR PROTECTIVE ORDER

Now come the Defendants, through Counsel, and request that this Honorable Court withhold action and grant the Defendants' Counsel an extension of time to file an opposition to the Plaintiff's Motion for Protective Order.

As grounds for this Motion the Defendants state that their Counsel has been placed under extreme emotional pressure from family and work circumstances and requires the additional time to prepare and file the opposition. In further support of this Motion, the Defendants offer the Affidavit of William J. Pudlo, attached hereto and made a part hereof.


WHEREFORE, the Defendants request that this Honorable Court withhold action on the Plaintiff's Motion until the Defendants' opposition can be filed and that the

Defendants' Counsel be granted until May 4, 2005 to file the opposition to the Plaintiff's Motion.

The Defendants,  
by their Attorney,

*ASSENTED To BY TELEPHONE:*

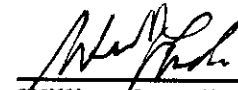
*Pamela Zorn*  
*by up*

  
\_\_\_\_\_  
William J. Pudlo  
P.O. Box 676  
West Springfield, Mass. 01090  
Telephone: (413) 739-4000

#### **Certificate of Service**

I, William J. Pudlo, hereby certify that I have served a copy of the above pleading by mailing a copy of the same, postage prepaid, to Pamela A. Zorn, 101 Federal Street, Boston, Massachusetts 02110.

Dated: April 26, 2005

  
\_\_\_\_\_  
William J. Pudlo

**UNITED STATES DISTRICT COURT  
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**WESTFIELD EAST MAIN )  
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INTERSTATE BUILDING )  
SUPPLY, INC., and )  
LUMBER CENTER, INC., )  
Defendants )**

**AFFIDAVIT OF WILLIAM J. PUDLO  
IN SUPPORT OF DEFENDANTS'  
EMERGENCY MOTION FOR EXTENSION  
OF TIME TO FILE OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
PROTECTIVE ORDER**

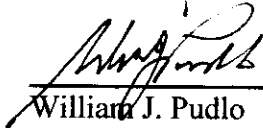
I, William J. Pudlo, do depose and say that:

1. I am a duly licensed Attorney in the Commonwealth of Massachusetts with privileges to practice before this Honorable Court, with a mailing address of P.O. Box 676, West Springfield, Massachusetts 01090.
2. I have been Counsel of record for the Defendants in this action since its inception.
3. On or about April 13, 2005 I received the Plaintiff's Motion for Protective Order by mail.
4. Between April 11, 2005 and April 15, 2005 I was engaged before the Suffolk County Superior Court in a Jury Trial.
5. Following the aforementioned Jury Trial, I was involved in preparations for my daughter's wedding on April 22, 2005 in Binghamton, New York, which I attended with my wife through April 24, 2005.

6. On Monday, April 25, 2005, I was called at 4:00 a.m. by my elderly mother who had fallen and required my assistance in getting her to a hospital, where she will have surgery on April 27, 2005 for a possible cancerous tumor.
7. On Tuesday, April 26, 2005 I was advised by my sister that she was facing imminent surgery for possible breast cancer tumors.
8. As a result of the circumstances and events of the past three weeks, I have become emotionally and physically drained and require more than the usual time to complete my legal work in behalf of my clients.

The foregoing statements are true to the best of my information and belief and made under the pains and penalties of perjury.

Dated: April 26, 2005

  
\_\_\_\_\_  
William J. Pudlo